

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:19-CR-00221-FDW-DCK**

UNITED STATES OF AMERICA

v.

DENT HALL TURNER,

Defendant.

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ORDER

THIS MATTER is before the Court on Defendant’s Motion for Compassionate Release, (Doc. No. 39), the United States’s Motion to Dismiss, (Doc. No. 42), and Defendant’s Motion to Withdraw, (Doc. No. 43). For the reasons set forth below, Defendant’s Motion to Withdraw is GRANTED, Defendant’s Motion for Compassionate Release is DISMISSED, and the United States’s Motion to Dismiss is DENIED as MOOT.


Defendant filed a motion for compassionate release under the First Step Act of 2018, 18 U.S.C. § 3582 *et seq.*, on April 9, 2024. (Doc. No. 39.) Nowhere in the Motion did Defendant represent he had requested relief from the warden of the correctional facility at which he is housed. On July 31, 2024, the United States moved to dismiss Defendant’s motion for failure to exhaust as required under 18 U.S.C. § 3582(c)(1)(A). (Doc. No. 42, p. 4.) Instead of filing a final reply, Defendant filed a Motion to Withdraw his Motion for Compassionate Release in which he “concur[s] with the government’s request that his Motion . . . should be dismissed for not exhausting administrative remedy.” (Doc. No. 43, p. 2.)

IT IS THEREFORE ORDERED that Defendant’s Motion to Withdraw, (Doc. No. 43), is GRANTED, and his Motion for Compassionate Release, (Doc. No. 39), is DENIED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that the United States's Motion to Dismiss, (Doc. No. 42),
is DENIED AS MOOT.

IT IS SO ORDERED.

Signed: October 21, 2024


Frank D. Whitney
United States District Judge

